

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

John P. Toscano III *et al.*

Appln. No.: 10/587,644

Filed: November 26, 2008

For: *Nitroxyl Progenitor
Compounds and Methods
of Use*

Art Unit: 1628

Examiner: Timothy P. Thomas

Confirmation No.: 2708

Atty. Docket: P30955US02/20642.034

RESPONSE TO NON-FINAL OFFICE ACTION MAILED ON SEPTEMBER 28, 2010

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respond as follows to the non-final Office action mailed on September 28, 2010.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that are otherwise provided for in the documents accompanying this paper. However, if any additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned, and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to Deposit Account Number 50-2387, referencing docket number P30955US02/20642.034. The undersigned likewise authorizes a charge to Deposit Account Number 50-2387 for any other fees related to the present application that are not otherwise provided for in the accompanying documents.

Amendments to the claims begin on page 2.

Remarks begin on page 8.